

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

BRENNARIS M. JOHNSON,

Plaintiff,

v.

SNOHOMISH COUNTY SHERIFF'S
OFFICE, et al.,

Defendants.

Case No. C22-1861-RJB-SKV

THIRD ORDER GRANTING
EXTENSION

Plaintiff Brennaris Johnson, proceeding pro se and *in forma pauperis* in this 42 U.S.C. § 1983 civil rights matter, filed a Motion of Explanation to Ask Court to Grant the Requested Amount of Time. Dkt. 11. The Court, having considered the motion and the remainder of the record, herein finds and concludes as follows:

(1) Plaintiff submitted a proposed complaint in this matter on December 30, 2022 and, by Order dated January 27, 2023, the Court declined service and granted Plaintiff thirty days to submit an amended complaint. Dkts. 1 & 4. The Court subsequently, by Order dated February 17, 2023, granted Plaintiff an additional 120 days to submit the amended complaint and set a June 27, 2023 filing deadline. Dkt. 8. On May 17, 2023, Plaintiff sought an additional 120-day extension of the filing deadline, but did not describe the events or issues forming the basis

1 for his request. Given the absence of an explanation, the already lengthy amount of time
2 provided for the filing of an amended complaint, and the substantial amount of time still
3 remaining before the filing deadline, the Court did not find good cause for an additional 120-day
4 extension. However, recognizing that Plaintiff anticipated the need for more time and in order to
5 ensure his ability to meet the filing deadline, the Court gave Plaintiff an additional thirty days to
6 file an amended complaint, setting a new July 27, 2023 deadline.

7 Plaintiff now explains his request for an additional 120-day extension. Dkt. 11. He states
8 that, after returning from a placement in isolation deadlock, he discovered that his legal papers
9 had been misplaced or lost. He notes his ongoing treatment for a number of different mental
10 health issues and a series of lockdowns imposed over the past six months. Plaintiff asks that the
11 Court grant the additional 120-day extension and set a deadline of October 27, 2023 for the filing
12 of the amended complaint. He also states: “It is going to take more [than] the additional 120
13 period to complete the amended . . . complaint.” *Id.* at 4.

14 With consideration of Plaintiff’s explanation, the Court finds good cause for granting the
15 requested extension. Accordingly, Plaintiff’s pending motion, Dkt. 11, is GRANTED and
16 Plaintiff may file an amended complaint on or before **October 27, 2023**. In so doing, the Court
17 clarifies that, having now afforded Plaintiff a total of eight months to submit an amended
18 complaint, **no additional extension of time will be allowed**. Accordingly, **if an amended**
19 **complaint is not filed on or before October 27, 2023, or if Plaintiff files an amended**
20 **complaint that fails to correct the deficiencies identified in the Court’s prior Order, the**
21 **Court will recommend that this matter be dismissed**. The Court also notes that such a
22 dismissal would be without prejudice to the later filing of a new action.
23

